IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH AGRAHAYANA, 1928

Bail Appl..No. 7777 of 2006(A)

CMP.10958/2006 of J.M.F.C.-III, PUNALUR
Crime No.686/06 of Punalur Police Station

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: PETITIONERS/ACCUSED NOS. 1 & 2.

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1. ABDUL MAJEED, S/O.USMAN RAWTHER,
MYLAVILA VEEDU, KARIYARA MURI,
VILAKUZHY VILLAGE, KOLLAM DISTRICT.

2. KARIARA S.NAZARUDHEEN,
S/O.SAINUDHEEN RAWTHER,
VELIYATH AZHIKATHU VEEDU,
KARIYARA MURI, VILAKUZHY VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.S.RAJEEV

RESPONDENT: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO. 686 OF 2006
OF PUNALUR POLICE STATION).

BY DIRECTOR GENERAL OF PROSECUTIONS SHRI.P.G.THAMPY

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 7777 of 2006

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Dated this the 4th day of January, 2007.

ORDER

Petitioners, who are accused Nos. 1 and 2 in Crime No.686 of 2006 of Punalur Police Station for offences punishable under Sections 376, 294(b) and 506(ii) read with Section 34 I.P.C., seek their enlargement on bail.

2. The alleged occurrence took place on 22.9.2006. The petitioners had earlier approached this Court with an application for anticipatory bail, which was disposed of directing them to surrender before the Investigating Officer and seek regular bail. Thereafter, the petitioners surrendered before the Investigating Officer on 18.12.2006.

3. On production before the J.F.C.M.- III, Punalur, the petitioners' bail applications were dismissed and they were remanded to judicial custody. It is thereafter that the petitioners have approached this Court with the present application.

3. Shri. P.G.Thampy, the learned Director General of Prosecutions submitted that since the investigation involving the

petitioners is already over, there is no objection in granting bail to the petitioners, who are stated to be Panchayath members. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of J.F.C.M.-III, Punalur and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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